

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

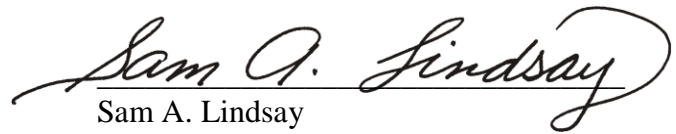
ALBERT JOSEPH DAVIS, #15022999,	§	
	§	
Plaintiff,	§	
v.	§	Civil Action No. 3:15-CV-3510-L
	§	
LUPE VALDEZ, et al.,	§	
	§	
Defendants.	§	

ORDER

Before the court are Plaintiff Albert Joseph Davis’ (“Plaintiff”) *pro se* Motions for Leave to Proceed in forma pauperis (Doc. 4), filed October 29, 2015 and (Doc. 7), filed November 20, 2015; and Emergency Motion for Writ of Mandamus (Doc. 8), filed November 20, 2015. The case was referred to Magistrate Judge Paul D. Stickney for pretrial management, who entered the Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) on November 24, 2015, recommending that the court dismiss the case as duplicative and that all pending motions be dismissed without prejudice because Plaintiff previously file the same claims against the same Defendants in *Davis v. Valdez*, No. 3:15-CV-3396-K. That case is pending. No objections to the Report were filed.

Having reviewed the file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct and **accepts** them as those of the court. Accordingly, the court **dismisses with prejudice** Plaintiff’s action as duplicative of Civil Action No. 3:15-CV-3396-K and **dismisses without prejudice** Plaintiff’s Motions for Leave to Proceed in forma pauperis (Doc. 4), filed October 29, 2015 and (Doc. 7), filed November 20, 2015; and Emergency Motion for Writ of Mandamus (Doc. 8), filed November 20, 2015.

It is so ordered this 30th day of December, 2015.


Sam A. Lindsay
United States District Judge